

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 4:11-CR-00248-ALM-AGD
	§	
MICHAEL WAYNE PEREZ, JR (27)	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This report and recommendation addresses a petition for revocation of the defendant's supervised release. Dkt. 1641 (sealed).

PROCEDURAL HISTORY

On April 8, 2014, United States District Judge Richard A. Schell sentenced defendant Michael Wayne Perez, Jr., to 180 months imprisonment followed by five years of supervised release. Dkt. 1081 at 1–3 (sealed). United States District Judge Amos L. Mazzant later reduced Perez's sentence to 144 months imprisonment. Dkt. 1568. Perez's most recent term of supervised release commenced in April 2024. Dkt. 1641 at 1 (sealed).

In May 2025, a probation officer petitioned the court for a warrant, alleging that Perez had violated two conditions of his supervised release. Dkt. 1641 (sealed). Specifically, the petition alleged that Perez had violated conditions that required him to refrain from any unlawful use of a controlled substance and to participate in a program of testing and treatment for substance abuse. Dkt. 1641 at 1–2 (sealed).

In support of those allegations, the petition asserted that, on three occasions in 2024, Perez submitted urine specimens that tested positive for controlled substances, and on two other occasions in 2025 he admitted to using controlled substances. Dkt. 1641 at 1–2 (sealed). The petition also asserted that on one occasion Perez failed to submit a urine specimen as instructed and that he was terminated from a substance-abuse treatment program after leaving the facility to use controlled substances. Dkt. 1641 at 2 (sealed).

A final revocation hearing was held before me on May 14, 2025. Perez pleaded true to the two allegations. Minute Entry for May 14, 2025. He also consented to revocation of his supervised release and waived his right to object to my proposed findings and recommendations. *Id.*; Dkt. 1651. The government requested a sentence of 13 months imprisonment with no supervised release to follow, which is within the federal sentencing policy statements; the defendant agreed. After hearing argument from counsel, the court announced what its recommendation would be.

RECOMMENDATION

In accordance with the Sentencing Reform Act of 1984, and having considered both parties' arguments, the court recommends that: (1) Perez's supervised release be revoked based on allegations one and two in the petition, Dkt. 1641; (2) Perez be committed to the custody of the Bureau of Prisons to be imprisoned for a term of 13 months, with no supervised release to follow; and (3) Perez be placed at FCI Seagoville in Seagoville, Texas, if appropriate.

So **ORDERED** and **SIGNED** this 15th day of May, 2025.



Bill Davis
United States Magistrate Judge